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FACSIMILE TRANSMITTAL

TO:

Name: Mail Stop AF
Group Art Unit 3773/Examiner Melanie Ruano Tyson

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/098,683

Gary Karlin Michelson

Filed: March 15, 2002

SPINAL IMPLANT CONTAINING MULTIPLE
BONE GROWTH PROMOTING MATERIALS
(as amended)

Attorney Docket No. 101.0042-05000

Customer No. 22882

Confirmation No.: 7210

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 8

Date: May 14, 2008

Confirmation Copy to Follow: NO

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate) and Reply After Final are being facsimile transmitted to the U.S. Patent and Trademark Office on May 14, 2008.


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MAY 14 2008

FORM PTO-1083

Attorney Docket No.: 101.0042-05000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson

Serial No: 10/098,683

Filed: March 15, 2002

For: SPINAL IMPLANT CONTAINING
MULTIPLE BONE GROWTH
PROMOTING MATERIALS
(as amended)

Confirmation No.: 7210

Art Unit: 3773

Examiner: Melanie Ruano Tyson

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Reply After Final in response to the Final Office Action of March 14, 2008 in the above-identified application.

- ☒ No additional fee is required.
- ☐ Applicant hereby requests a ***-month extension of time to respond to the above Office Action.
- ☐ An Information Disclosure Statement and Form PTO/SB/08 are enclosed.
- ☐ The total amount of \$*** to cover the above fees is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726.
- A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO, LLP

Date: May 14, 2008

By: 
Thomas H. Martin
Registration No. 34,3831557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: 330-877-0700
Facsimile: 330-877-2030

Transmittal of Reply 5-14-08

MAY 14 2008

FORM PTO-1083

Attorney Docket No.: 101.0042-05000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Transmittal of Reply 5-14-08

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RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3773

PATENT
Attorney Docket No. 101.0042-05000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--------------------------------|---|-------------------------------|
| In re Application of: |) | Confirmation No.: 7210 |
| Gary Karlin Michelson |) | |
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| PROMOTING MATERIALS |) | |
| (as amended) |) | |

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY AFTER FINAL

In reply to the Final Office Action of March 14, 2008, the following remarks are submitted.

Remarks begin on page 2 of this paper.

Reply After Final 5-14-08